

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: MAR 06 2014

IN RE ALUMINUM WAREHOUSING
ANTITRUST LITIGATION

13 MD 2481 (KBF)

: ORDER

x

KATHERINE B. FORREST, District Judge:

In a submission filed on February 24, 2014, Daniel E. Becnel, Jr. of the
Becnel Law Firm, L.L.C. (collectively, “Becnel”) asks the Court to appoint him and
his firm to “the Plaintiffs’ Steering Committee based upon the Curriculum Vitae
that was submitted to the Court.” (ECF No. 195.) Becnel is counsel to River Parish
Contractors, Inc. in the action River Parish Contractors Inc. v. Goldman Sachs
Group, Inc. et al., 13 Civ. 9095 (KBF), that was transferred to this District and this
Court from the Eastern District of Louisiana on or about January 2, 2014.

In a separate letter, also dated February 24, 2014, Mr. Becnel attaches a copy of a lawsuit filed on February 21, 2014 in the Southern District of Alabama as a “supplement” to this request. (ECF No. 204.) Mr. Becnel asks that the Court “reconsider [his] application to be appointed to the Plaintiffs’ Steering Committee since, in addition to River Parish Contractors, Inc., [he] represent[s] additional indirect purchasers with substantial distributing throughout Louisiana, Alabama and Mississippi.” (*Id.*) The Court notes that a conditional transfer order transferring this action to this MDL was signed by the Joint Panel for Multidistrict

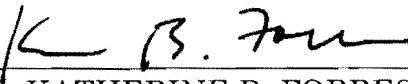
Litigation on March 5, 2014, and its transfer to this District and this Court is pending.

Mr. Becnel's request is denied. First, the request is untimely. The Court's February 6, 2014 order required that "[o]pening submissions" for "[a]pplications for the appointment of lead plaintiffs, lead plaintiffs' counsel, and any other plaintiffs' representatives" were to be made by February 17, 2014. (ECF No. 154.) This same deadline was also contained in the draft schedule handed out by the Court prior to the February 6, 2014 conference, at which Mr. Becnel was present. Mr. Becnel's first submission was made on February 24, 2014, the date by which opposition submissions were due. Mr. Becnel's second submission was also dated by February 24, 2014 but not received by the Court until February 25, 2014, because it was not originally filed on ECF (as is required by the Court's January 13, 2014 order).

Additionally, Mr. Becnel's submissions do not provide any substantive basis for this Court to override the meet and confer process (both prior to and following the February 6, 2014 conference) reflected in all of the other submissions concerning the organization of the various plaintiff groups.

SO ORDERED.

Dated: New York, New York
 March 6, 2014



KATHERINE B. FORREST

United States District Judge